

**REMARKS**

**I. STATUS OF THE CLAIMS**

Claims 1-16 are canceled herein.

New claims 17-35 are added. The new claims are somewhat similar to canceled claims. For example, new independent claims 17 and 25 are somewhat similar to canceled independent claim 1.

In view of the above, it is respectfully submitted that claims 17-35 are currently pending.

**II. REJECTION OF CLAIMS 1 AND 3-14 UNDER 35 USC 102(E)**

**AS BEING ANTICIPATED BY JONES**

Jones discloses an optical section and a loop filter. The optical section encompasses the fiber spans between an upstream amplifier and an input of the optical amplifier under consideration, a Raman module, first and second EDFA stages, and a VOA or a dynamic gain equalizer DGE. See, for example, paragraph [0092] of Jones. The loop filter is able to perform spectral power equalization using spectral power information measured by an OSA unit. See, for example, paragraph [0105] of Jones.

However, Jones does not disclose or suggest the use of a database for holding loss-wavelength characteristics data according to a plurality of transmission line types and gain-wavelength characteristics data according to a plurality of amplifying medium types with an input optical power and an output optical power as parameters, as recited, for example, in claim 17, in combination with the other features recited, for example, in claim 17.

More specifically, Jones does not disclose or suggest (a) a database for holding loss-wavelength characteristics data according to a plurality of transmission line types and gain-wavelength characteristics data according to a plurality of amplifying medium types with an input optical power and an output optical power as parameters; (b) an arithmetic part for computing an inverted characteristic of passing-wavelength characteristic of said transmission line and said amplification medium, on the basis of said loss-wavelength characteristic data according to a type of said transmission line held in said database and said gain-wavelength characteristic data according to a type of said amplification medium specified by said parameters, held in said database; and (c) a setting part for setting a passing-wavelength characteristic of said variable gain equalizer to said inverted passing-wavelength characteristic computed by said arithmetic part, as recited, for example, in claim 17.

Although the above comments are specifically directed to claim 17, it is respectfully submitted that the comments would be helpful in understanding various differences of various other claims over Jones.

In view of the above, it is respectfully submitted that the rejection is overcome.

### III. OBJECTION TO THE TITLE

The Title is amended herein as suggested by the Examiner, to thereby overcome the objection.

### IV. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If there are any additional fees associated with filing of this Amendment, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: Paul I. Kravetz  
Paul I. Kravetz  
Registration No. 35,230

1201 New York Avenue, NW, 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501